

Planning & Zoning Commission



January 2, 2018

Regular Business Meeting



Wylie Planning and Zoning Commission

NOTICE OF MEETING

Regular Meeting Agenda
Tuesday, January 2, 2018 – 6:00 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Building #100

Ron Smith Chair
Randy Owens Vice Chair
Brad Emerson Commissioner
Roger Myers Commissioner
Mike McCrossin Commissioner
Bryan Rogers Commissioner
Jade Duan Commissioner

Renaè Ollie Planning Director
Jasen Haskins Sr. Planner
Kevin Molina Planner
Mary Bradley Administrative Assistant

In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: www.wylietexas.gov within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: www.wylietexas.gov.

The Chair and Commissioners request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020.

Hearing impaired devices are available from the City Secretary prior to each meeting.

CALL TO ORDER

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Commissioners regarding an item that is not listed on the Agenda. Residents must provide their name and address. The Commission requests that comments be limited to three (3) minutes. In addition, the Commissioners are not allowed to converse, deliberate or take action on any matter presented during citizen participation.

CONSENT AGENDA

1. Consider and act upon approval of the Minutes from December 19, 2017, Regular Meeting.

REGULAR AGENDA

Regular Agenda

1. Consider, and act upon approval of a site plan for a Medical Office on Lot 2, Block A of the Lanman Addition, located north of the intersection of Woodbridge Parkway and Hensley Lane.

Public Hearing

1. Hold a Public Hearing and consider a recommendation to the City Council regarding a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. **ZC2017-09**
2. Hold a Public Hearing to consider, and act upon, a recommendation to the City Council regarding amendments to Article 5, Section 5.2.F.5 Body Art Studio of the Zoning Ordinance for an interpretation of the definition for Permanent Cosmetics. **ZC 2017-10**
3. Hold a Public Hearing and consider, and act upon a recommendation to the City Council regarding amendments to Article 3, Section 3.3.C Manufactured Home District of the Zoning Ordinance 2005-58 establishing development standards. **ZC 2017-11**

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this 29th day of December 2017 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: www.wylietexas.gov.

Carole Ehrlich, City Secretary

Date Notice Removed

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Wylie Planning and Zoning Commission

Minutes

**Wylie Planning & Zoning Commission
Tuesday December 19, 2017 – 6:00 pm
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Building 100**

CALL TO ORDER

The Planning and Zoning Commission was called to order at 6:01 p.m. A quorum was present. Commissioners present were: Chair Ron Smith, Vice Chair Randy Owens, Commissioner Brad Emerson, Commissioner Bryan Rogers, and Commissioner Jade Duan. Commissioner Mike McCrossin and Commissioner Roger Myers were both absent. Staff present was Renae' Ollie, Development Services Director, Jasen Haskins, Sr. Planner, and Mary Bradley, Administrative Assistant.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Rogers gave the Invocation. Commissioner Duan led the Pledge of Allegiance.

CITIZENS COMMENTS

Chair Smith opened the Citizens Participation. With no one approaching the Commissioners, Chair Smith closed the Citizen Participation.

CONSENT ITEMS

Consider and act upon approval of the Minutes from the December 5, 2017, Regular Meeting.

Board Action

A motion was made by Commissioner Rogers and seconded by Commissioner Emerson to approve the minutes for December 5, 2017, as submitted. Motion carried 5 – 0.

REGULAR AGENDA

Regular Agenda

Site Plan for CrossFit Wylie

Consider, and act upon a Site Plan for CrossFit Wylie, being Lot 3, Block D of Regency Business Park Phase 2, located at 214 Regency Drive.

Staff Presentation

Mr. Haskins stated that the applicant is proposing to develop a Health club use on 1.24 acres. The proposed single story building will be 9,186 square feet. The property is located within Regency Business Park Phase 2, and is zoned Light Industrial. A health club is allowed by right within this zoning.

Crossfit Wylie is currently located in a 6,000 square feet building on another site, and the intent is to construct a larger facility on a new site.

Crossfit Wylie is open for scheduled classes and not open 24-hours.

Staff recommends approval subject to additions and alterations as required by the City Engineer.

Jeff Carroll with Carroll Architects, Inc, 750 E Interstate 30, Suite 110, Rockwall, Texas, Architect for the subject property, stated that the exterior material is comprised of Hardi Concrete and stone. The applicant, CrossFit Wylie has been in business for six years.

Board Action

A motion was made by Commissioner Emerson, and seconded by Commissioner Duan, to approve the Site Plan for CrossFit Wylie, being Lot 3, Block D of Regency Business Park Phase 2, located at 214 Regency Drive. Motion carried 5 – 0.

Ms. Bradley stated that the next meeting will be held January 2, 2018.

ADJOURNMENT

A motion was made by Commissioner Rogers, and seconded by Vice Chair Owens to adjourn the meeting at 6:11PM. All Commissioners were in consensus.

Ron Smith, Chair

ATTEST:

Mary Bradley, Administrative Assistant



Wylie Planning & Zoning

AGENDA REPORT

Meeting Date:	<u>January 02, 2018</u>	Item Number:	<u>1</u>
Department:	<u>Planning</u>		
Prepared By:	<u>Kevin Molina</u>	Subdivision:	<u>Lanman Addition</u>
Date Prepared:	<u>December 27, 2017</u>	Zoning District:	<u>PD 2003-01 (CR)</u>
		Exhibits:	<u>Site Plan, Landscape Plan, Elevations</u>

Subject

Consider, and act upon approval of a site plan for a Medical Office on Lot 2, Block A of the Lanman Addition, located north of the intersection of Woodbridge Parkway and Hensley Lane.

Recommendation

Motion to approve a site plan for a Medical Office on Lot 2, Block A of the Lanman Addition, located north of the intersection of Woodbridge Parkway and Hensley Lane.

Discussion

ENGINEER: Spiars Engineering

OWNER: Hooper-Woodbridge LLC

The applicant desires to develop a one story Medical Office that measures 5,522 square feet on a single lot consisting of 0.882 acres. The property is zoned Planed Development 2003-01 with Commercial Retail being the underlying zoning designation. A medical office use is allowed by right within this zoning.

Staff has been made aware that although the plat was approved in September of 2008 it has not been filed in the County. The applicant has been working on gathering all of the signatures to file the plat and staff is recommending approval of this site plan but will not issue a certificate of occupancy until the plat is filed in Collin County.

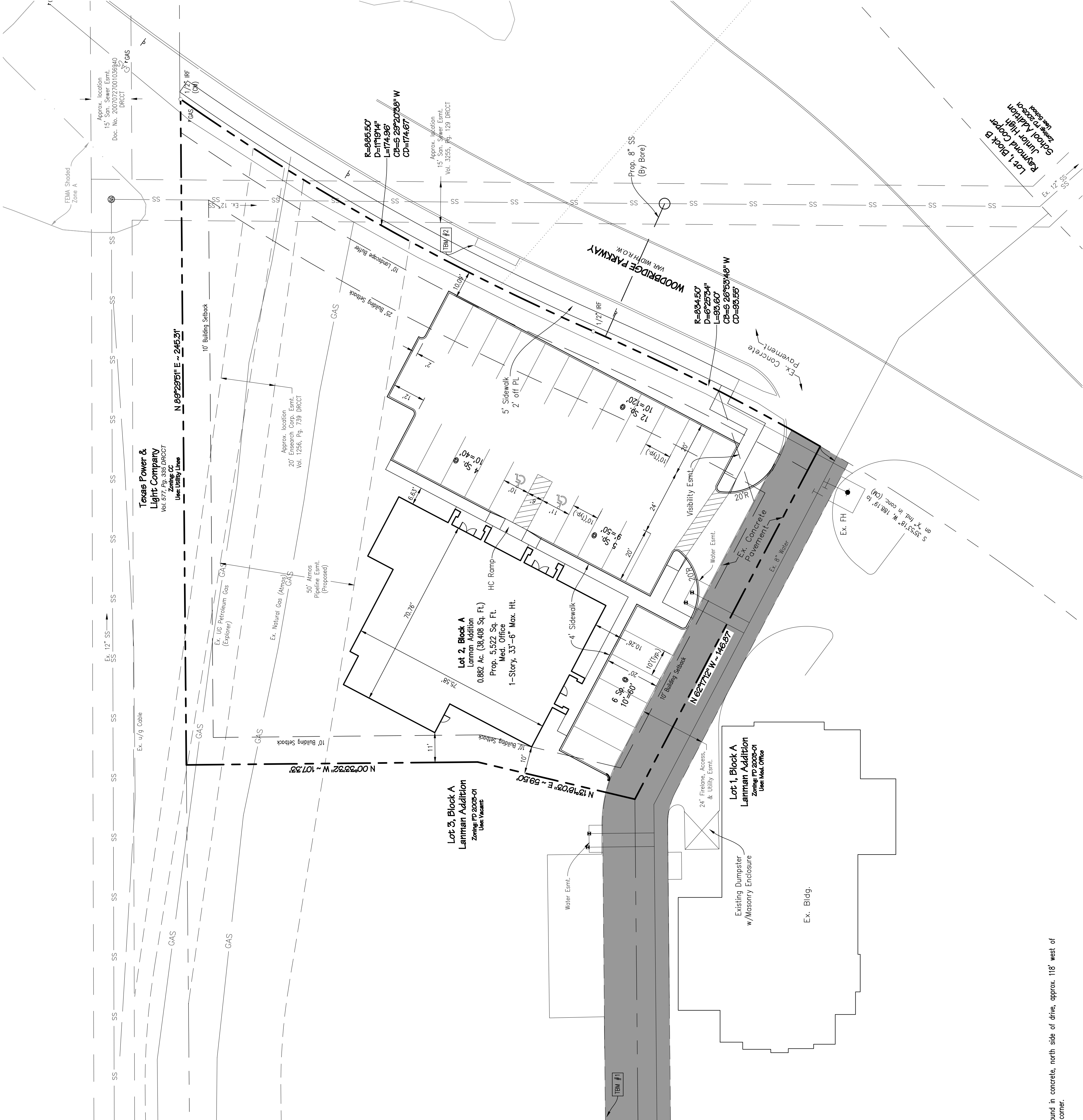
There is a shared fire lane, access, and utility easement on this lot starting at the entrance of the existing driveway adjacent to the Pediatric Associates of Wylie. The development is in compliance with the parking requirements of the zoning ordinance by providing 28 parking spaces with two of those being handicapped. The setbacks of the building are 25 feet in the front, 10 on the side and 10 in the rear. The site is in compliance with the site design and landscaping requirements of the zoning ordinance.

The exterior material on the front façade facing east towards Woodbridge Parkway is comprised of 24% stone and 76% brick. All other sides comply with the masonry requirements of the zoning ordinance by using similar stone and brick material. The architectural design and material use will closely resemble that of the existing adjacent Pediatric Associates of Wylie that is located south of the property. As presented this item complies with the minimum site, landscaping and exterior materials requirements of the Zoning Ordinance.

Staff recommends approval subject to additions and alterations as required by the City Engineering Department.

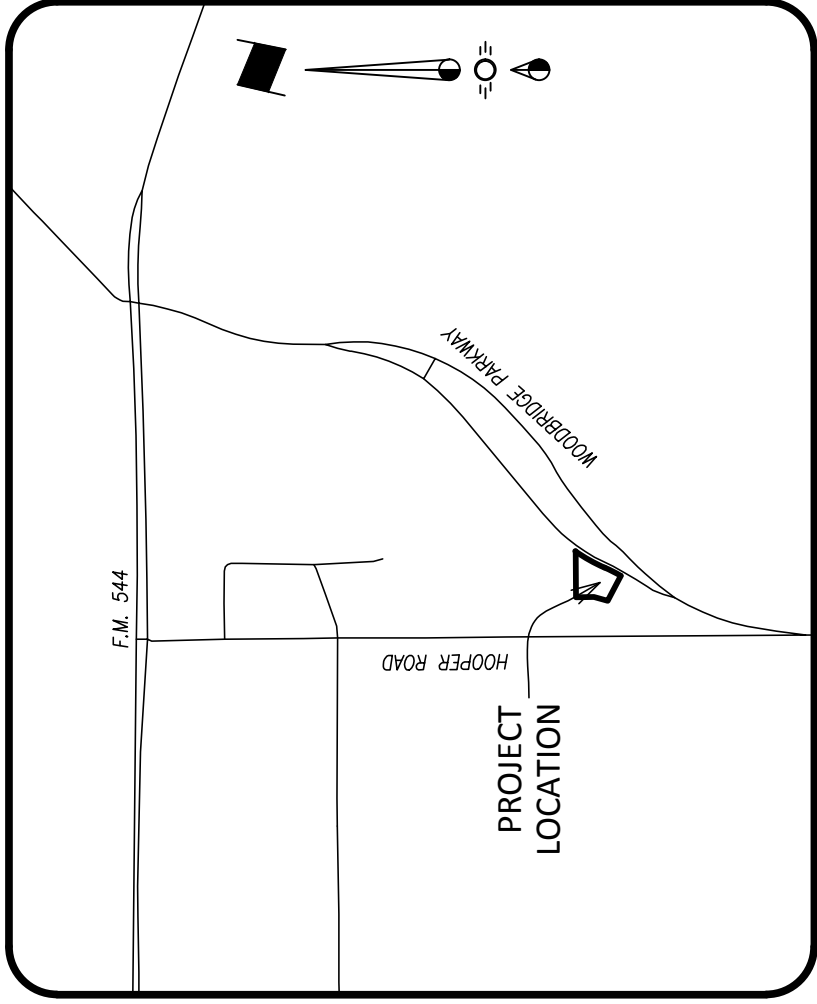
Approved By

	<i>Initial</i>	<i>Date</i>
Department Director	<u>RO</u>	<u>12-27-17</u>



BENCHMARKS:

- TBM 1: "X" cut found in concrete, north side of drive, approx. 118' west of southwest property corner.
Elev. 522.30'
- TBM 2: "X" cut set in northwest corner of curb inlet approx. 121' south of northeast property corner, west side of Woodbridge Parkway.
Elev. 518.87'
- CITY OF WILE BENCHMARK ON 3
Control Monument located on the southwesterly side of Wyle High School football stadium and near the northwest corner of Founders Park sports fields.
Elev. 520.31'
- CITY OF WILE BENCHMARK ON 4
Control Monument located in the northeast corner of Quail Meadow Park south of alley and west of White Iris Way
Elev. 562.91'



LOCATION MAP
1"=100'

NOTES:

- No appurtenance between the height of 2' and 6' may be placed in visibility triangles.
- Dumpster service shall be provided by existing dumpster located on Lot 1, Block A.
- According to Flood Insurance Rate Map (FIRM) Map No. 4806500451, dated June 2, 2009, prepared by the Federal Emergency Management Agency (FEMA) for Collin County, Texas, revised December 29, 2011 to reflect LOMR Case No. 11-05-0630P, this property lies within Zone X.

Site Data Summary Table

Zoning	CC w/ PD 2003-01
Proposed Use	Medical Office
Lot Area	38,408 Sq. Ft./0.882 Ac.
Total Building Area (Square Feet)	5,522 Sq. Ft.
Building Height (feet)	33'-6" - 1 Story
Lot Coverage	14.4%
Floor Area Ratio	0.144:1
Required Parking (1:350 Med. Office)	16 Sp.
Provided Parking	28 Sp. (incl. 2 HC)

LEGEND

Fireline

Site Design Requirements			
ELEMENT	BASE STANDARD (ALL DEVELOPMENT MUST COMPLY FULLY WITH ALL LISTED BELOW)	ACHIEVED	DESIRABLE (EACH DEVELOPMENT MUST SELECT 4 OF THE DESIRABLES LISTED BELOW)
Building Placement	1 Entrance and/or facades oriented to the street.	X	1 Building at the front yard line.
	2 Building footprints no greater than 20,000 square feet in NS and CR Districts.	X	2 Individual buildings w/ footprints = or < 10,000 square feet.
	3 Multiple buildings placed to create plaza, courtyards, landscaped areas w/ connecting courtyards.	N/A	3 Front facade oriented to the street.
Parking Placement	1 Parking spaces at least 10' from residential lot line.	X	a. Site plan with no more than 50% of parking in front of the building.
			b. Building with no more than one row parking in front.
Access Drives	1 Minimum width drive of 24', turning radius of 25'.	X	1 Combined access points with adjacent tracts.
	2 Address drive at least 150' from intersection.	X	2 Direct connection between buildings and street.
	3 Access drives serving developments greater than 30,000 sq. ft. shall have separated median, or be separated at least 150' from each other.	N/A	
Location of Service and Loading Areas	4 Landscaped treatment of entrances.	X	
	1 Service and loading areas shall not be visible from a public street or adjacent residential lot.	X	1 Not visible from public street but provide masonry screening.
	2 Developments unable to meet the above are required to have masonry screening walls w/ gates.	N/A	

SITE PLAN

LANMAN ADDITION
LOT 2, BLOCK A
0.882 Ac. / 38,408 Sq. Ft.
in the
L.K. PEGUES SURVEY, ABSTRACT NO. 703
IN THE CITY OF WYLE, COLLIN COUNTY, TEXAS

OWNER /APPLICANT
Hooper-Woodbridge, LLC
300 Woodbridge Parkway
Wylie, Texas 75098
Telephone (972) 422-5326
Contact: Aaron Lanman

ENGINEER /SURVEYOR
Spars Engineering, Inc.
765 Wister Road, Suite 100
Wylie, Texas 75097
Telephone (972) 422-0077
TPE No. F-2121
Contact: David Bond

Scale: 1"=20' November, 2017 SEI Job No. 17-172

PLANT LIST

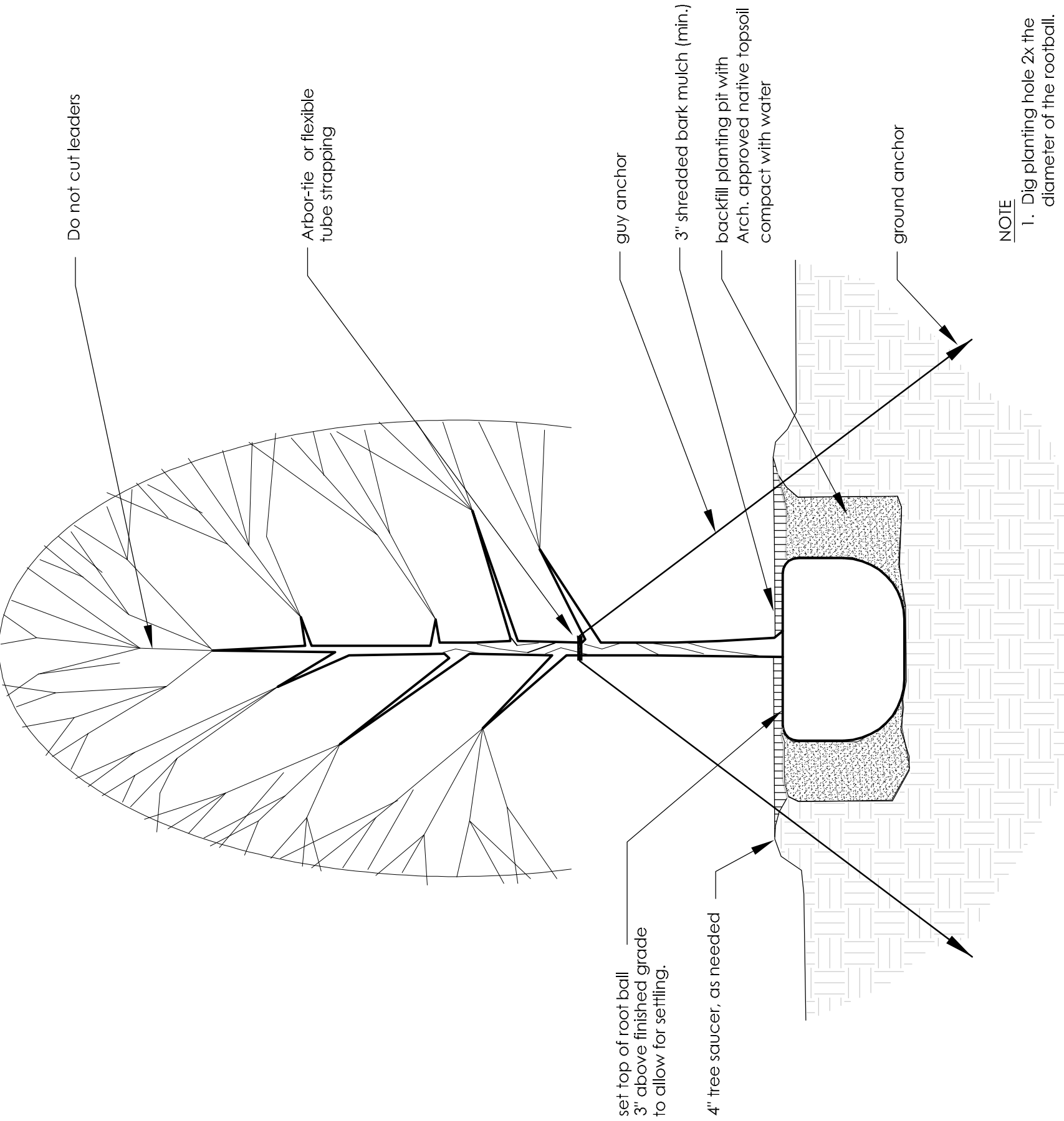
TREES				
SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
DE	8	Drake Elm	Ulmus parvifolia 'Drake'	3" cal., 14'-16' ht., 4'-5' sp., well branched
LG	5	Little Gem Magnolia	Magnolia grandiflora 'Little Gem'	30 gal., 6'-7' ht., 3'-4' sp., well branched
SHRUBS				
SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
IH	33	Indian Hawthorn	Raphiolepis indica 'Pinkie'	3 gal., 18"-24" ht./18"-24" sp., full & heavy, 30" o.c.
GN	28	Gulfstream Nandina	Nandina domestica 'Gulfstream'	3 gal., 18"-24" ht./18"-24" sp., full & heavy, 18" o.c.
DR	24	Drift Rose	Rosa 'Meigalabo'	3 gal., 18"-24" ht./18"-24" sp., full & heavy, 24" o.c.
GROUND COVER				
SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
BL	312	Big Blue Liriope	Liriope muscari 'Big Blue'	1 gal., 12" ht./12" sp., full & heavy, 12" o.c.
SOD				
SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
	FIELD VERIFY	Common Bermuda (Sod)	Cynodon dactylon	S.F., Solid Sod. Fine grade prior to installation
	FIELD VERIFY	Common Bermuda Hydromulch	Cynodon dactylon	S.F., Hydromulch. Fine grade prior to installation

Irrigation Note:

1. All plants shall be watered with an automatic irrigation system.

Landscape Tabulations

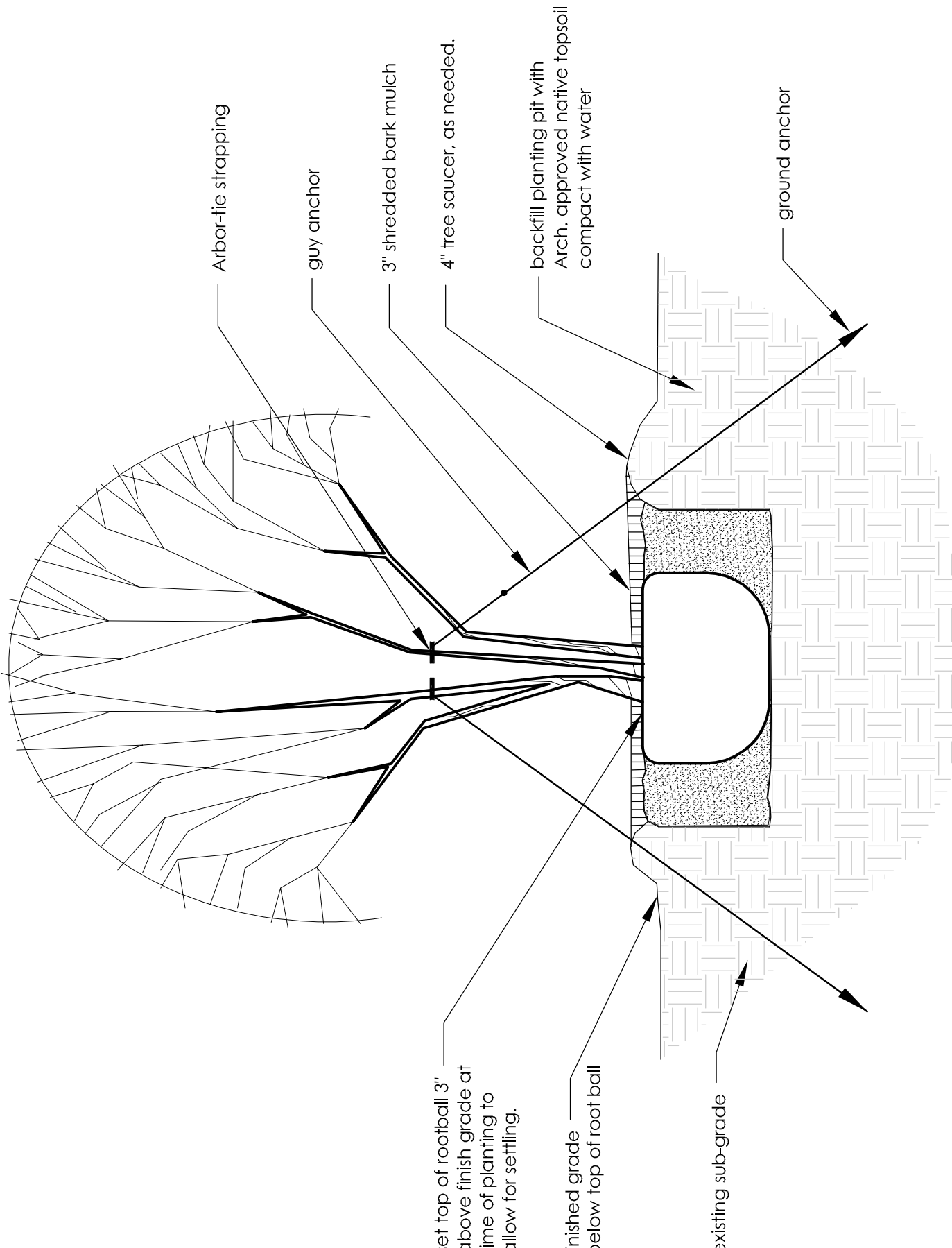
Percentage of Site to be Landscaped (Gross Site Area = 38,408 sq.)			
Base Standard - (20% shall be landscaped)			
Desirable - provided (landscaping not exceeds the min. by 10%)		Required = 20%	Provided = 57% (20,817 sq.)
Base Standard - (landscaping is required in the front yard)			
Desirable - (landscaping in side and rear yard not otherwise required)		Required = (1,282.70 sq.)	Provided = 28 Gulf Stream Nandinas, 13 Indian Hawthorns, 312 Big Blue Liriope, & 5 Little Gem Magnolias plus Bermuda Sod
Landscaping Per Parking Space (50 sq ft per parking space)			
Base Standard - required parking for site		Required = 16 spaces	(800 sq ft of landscape)
Desirable - provided parking (landscaping 10% or more in excess of 50 sq ft per space)		Provided = 28 spaces	(20,817 sq ft of landscape)
Desirable - (landscaped pedestrian connection to main entrance)		Provided = 24 Drift Roses & 20 Indian Hawthorns	
Front Yard Landscape Buffer			
Total Front Yard = (256.55 LF)			
Base Standard (at least 50% of front yard developed as landscape buffer 10' in width)		Required = 50% (1,282.70 sq.)	Provided = 56% (1,450 sq.)
Base Standard (3" caliper trees in buffer @ 30'o.c.)		Provided = 5 trees in buffer	



NOTE
1. Dig planting hole 2x the diameter of the rootball.

Shade Tree Detail

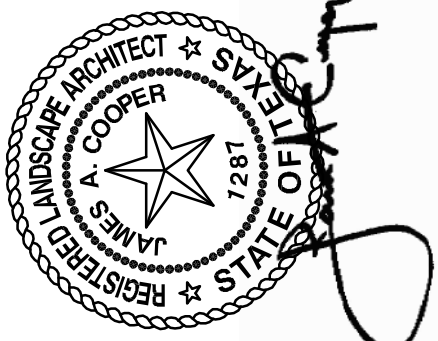
A
NTS



NOTE
1. Dig hole 2x the diameter of the rootball.

Ornamental Tree Detail

B
No Scale



COOPER DESIGN WORKS

LANDSCAPE ARCHITECTURE · PLANNING · URBAN DESIGN

P.O. Box 492, Rockwall, Texas 75087
Phone 972-412-9519 Fax 972-412-9203
cooperdesignworks.com
email: jcooper@cooperdesignworks.com

LANDSCAPE DETAILS

LANMAN ADDITION

LOT 2, BLOCK A
in the
L.K. PEGUES SURVEY, ABSTRACT NO. 703
IN THE CITY OF WYLIE, COLLIN COUNTY, TEXAS

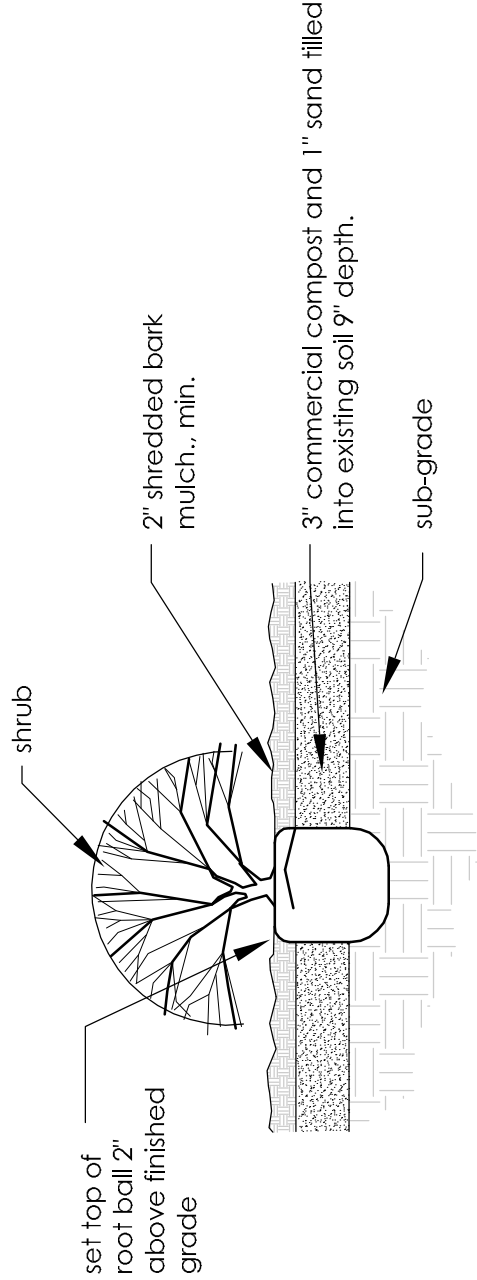
0.882 Ac. / 38,408 Sq. Ft.

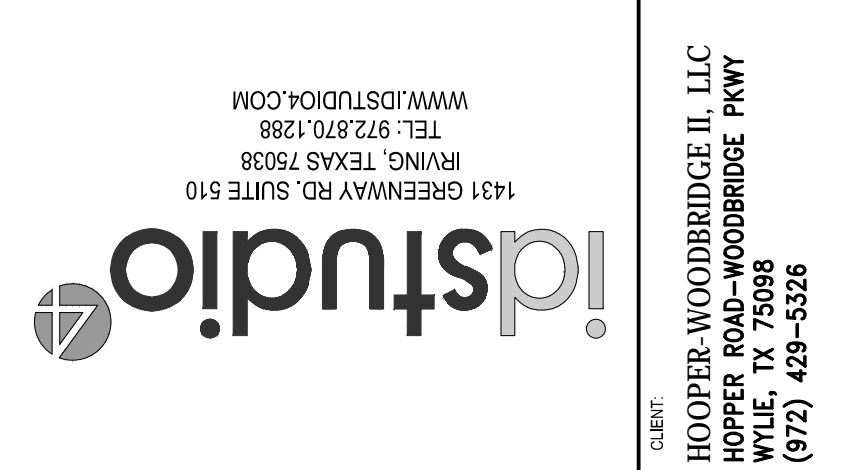
OWNER /APPLICANT
Hooper-Woodbridge, LLC
501 Woodbridge Parkway
Ft. Worth, Texas 76107
Telephone (972) 429-5326
Contact: Aaron Lanman

ENGINEER / SURVEYOR
Spars Engineering, Inc.
765 State Road 100
Rockwall, Texas 75087
Telephone (972) 422-0077
TFPE No. F-2121
Contact: David Bond

Shrub Detail

D
NTS





PRELIMINARY
FOR REVIEW ONLY
THIS DOCUMENT IS FOR DESIGN
REVIEW ONLY AND IS NOT
INTENDED FOR BIDDING,
CONSTRUCTION, OR PERMIT
PURPOSES.

12-18-17

12-18-17

HOOVER ROAD-WOODBRIDGE PKWY
WYLLIE, TX 75098
CLIENT: HOOVER-WOODBRIDGE II, LLC
P.O. BOX 125

HOOVER ROAD-WOODBRID
WYLLIE, TX 75098
CLIENT: HOOVER-WOODBRID
P.O. BOX 125

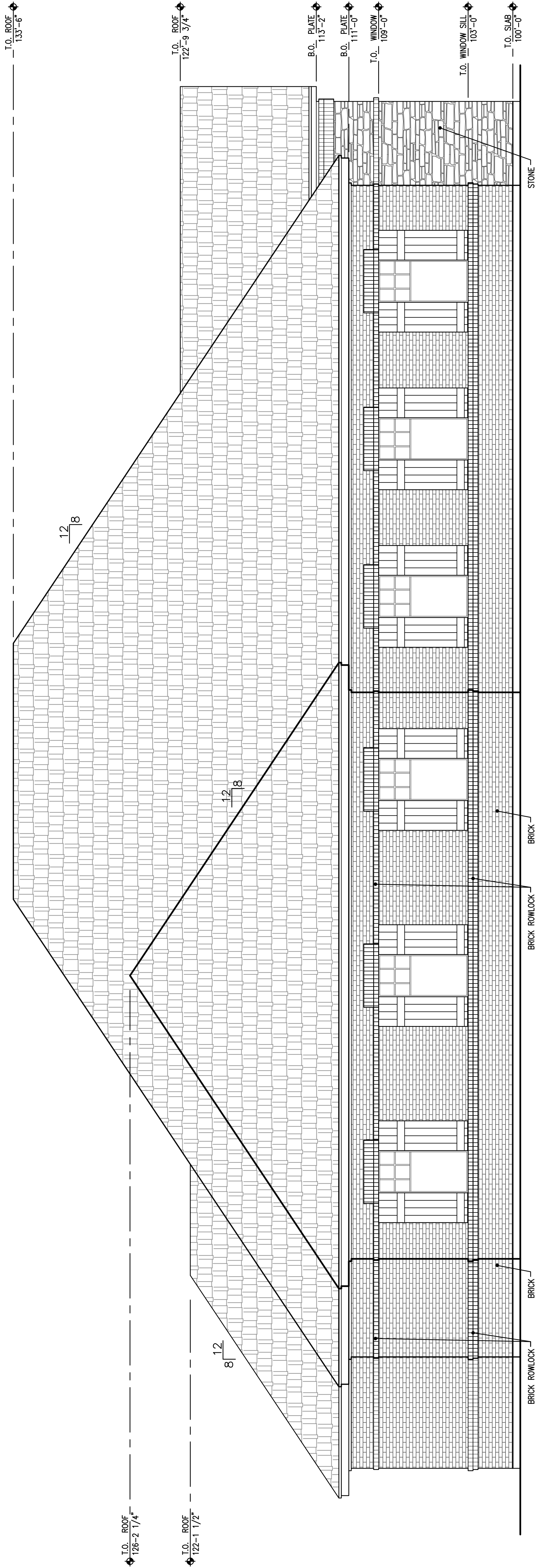
SHEET TITLE:

**EXTERIOR
ELEVATIONS**

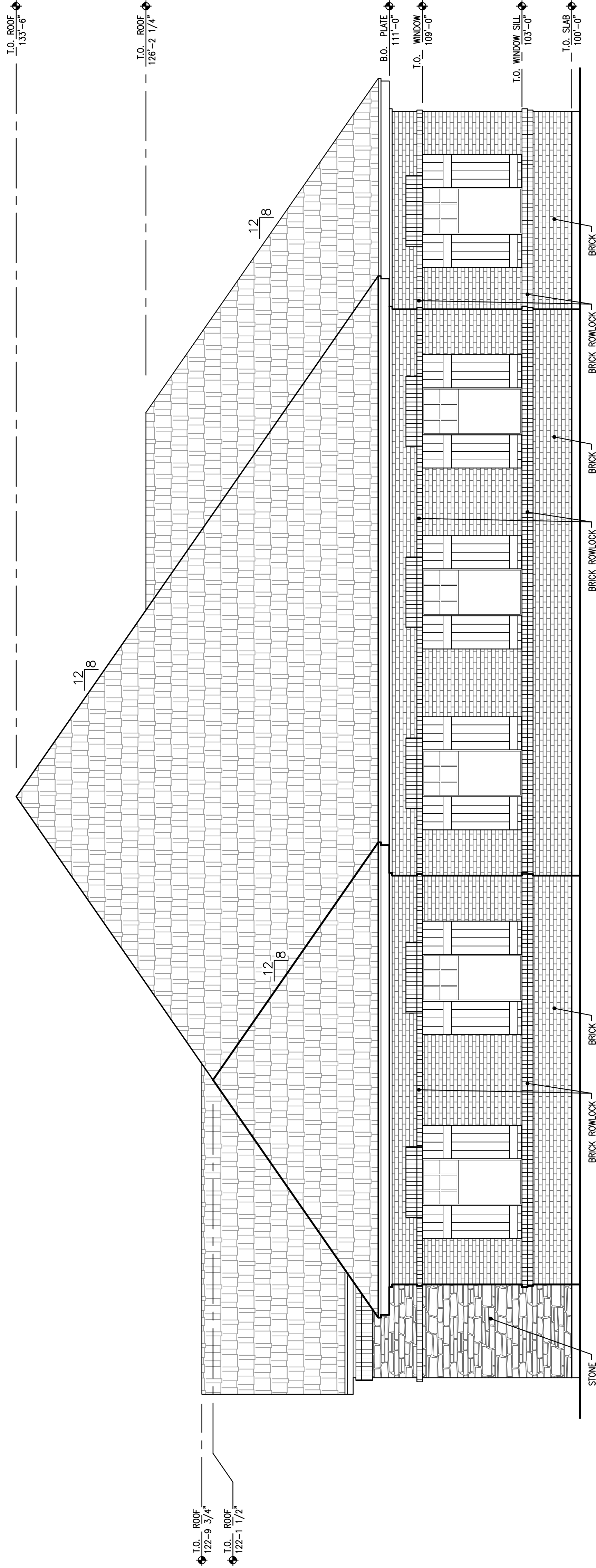
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PROJECT NUMBER: HWB17001

		NORTH	SOUTH	EAST	WEST
1	Total Facade S.F.	851 s.f.	935 s.f.	1,200 s.f.	1,019 s.f.
2	Facade S.F. (Exclusive of Door and Windows)	749 s.f.	811 s.f.	986 s.f.	917 s.f.
3	Door and Windows S.F.	102 s.f.	124 s.f.	214 s.f.	102 s.f.
4	Primary Mezzony totals				
5	(Min. 80%)				
6	5 brick s.f.	774 s.f. - 91%	754 s.f. - 80%	913 s.f. - 76%	941 s.f. - 92%
7	6 Stone s.f.	51 s.f. - 6%	178 s.f. - 20%	292 s.f. - 24%	51 s.f. - 5%
8	Secondary Mezzony totals				
9	(Min. 20%)				
10	3%				3%



WEST EXTERIOR ELEVATION
1
1/4" = 1'-0"



NORTH EXTERIOR ELEVATION 1/4"=1'-0"	2
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Wylie Planning and Zoning Commission

AGENDA REPORT

Meeting Date:	<u>January 2, 2018</u>	Public Hearing Item Number:	<u>1</u>
Department:	<u>Planning</u>		
Prepared By:	<u>Jasen Haskins</u>		
Date Prepared:	<u>December 13, 2017</u>	Zoning Case Number	<u>2017-09</u>
		Exhibits:	<u>Location Map, Exhibits, Notification List/Map and Responses</u>

Subject

Hold a Public Hearing and consider a recommendation to the City Council regarding a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. **ZC2017-09**

Recommendation

Motion to recommend approval to the City Council regarding a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. **ZC2017-09**

Discussion

Owner: Birmingham Land, Ltd.	Applicant: Skorgburg Company
<p>The applicant is requesting zoning for a Planned Development to allow for single family residential uses on 18.393 acres generally located on the northwest corner of Brown and Westgate.</p> <p>The current zoning on the property is SF-10/24 (refined under the updated Comp Plan, see below), meaning a minimum 2,400sqft home on a 10,000sqft lot. In general terms, the applicant is requesting PD conditions that allow for homes starting at 1,800sqft on 5,500sqft lots with a minimum of 40% of those homes close to the 2,400sqft requirement at 2,200sqft.</p> <p>This property is within the General Urban Sector of the City's Comprehensive Land Use Plan. This category calls for either commercial development or high density residential development, defined as multi-family or single family (attached) on 3,000sqft lots, with a mixed-use component. Staffs opinion is that a detached single family development on 5,500sqft lots almost doubles the 3,000sqft minimum allowed for single-family attached is within the goals of the Comp Plan. There is a single family attached development currently under construction less than ½ mile away (Westgate Station) on the southwest corner of Westgate and Fleming. Staff also believes that a mixed-use component is counterproductive in this particular case. Rarely is commercial mixed with detached single family homes and there is over 50,000 square feet of empty retail currently available within 1-mile of this site.</p> <p>The concept plan and parks plan for the PD (Exhibits A and C) show the proposed layout of the development. Conditions of the PD sets a maximum lot count not to exceed 60 lots. The proposal includes a 5.3 acre park dedication to the City with the developer completing all park improvements, including continuation of a major hike/bike trail corridor. The</p>	

Parks Board has recommended approval of the park improvements proposed by the applicant. This parkland dedication represents approximately 30% of the total acreage of the PD.

Other differences from standard zoning include (Exhibit B):

- Lot coverage increases to 65% from 45%
- Lot width is decreased from 75' to 50'
- Lot depth is increased from 100' to 110'
- Set backs are reduced to 5' side and 15' rear from 10' and 25'
- Because of the lot coverage, accessory structures will not be allowed.
- Lots along the park with use wrought iron and masonry fences.

Staff recommends approval of the PD as presented. While the developer is proposing lots much smaller than called for under normal zoning, the location of the project in a high-density area of the Comp Plan coupled with a need for new housing at various price points, may warrant this development.

Notification/Responses: Forty-Four (44) notifications were mailed; with two responses returned against the item at the time of posting.

Approved By

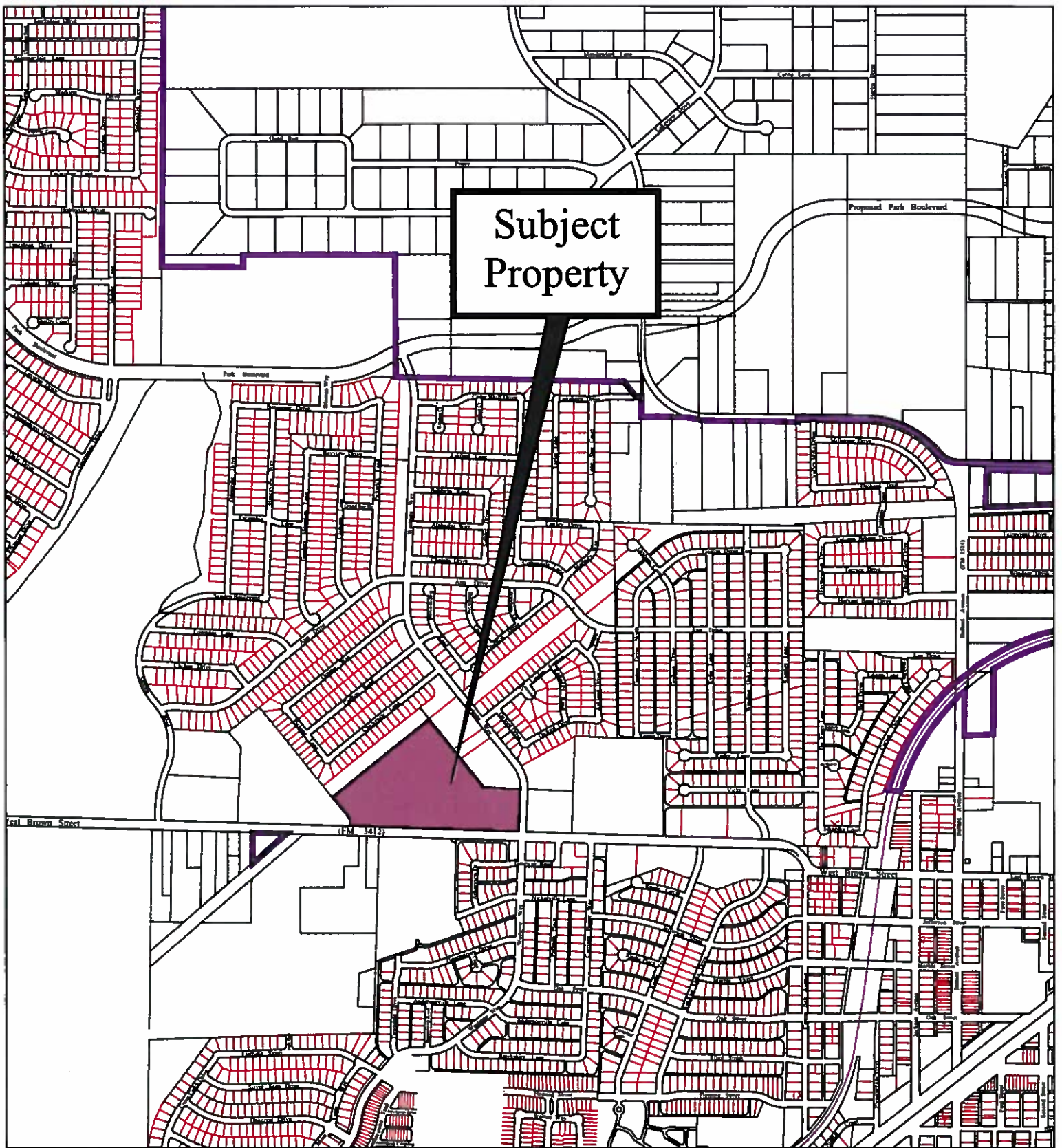
Initial

Date

Department Director

RO

12-28-17



LOCATION MAP
ZONING CASE #2017-09

EXHIBIT "A"

WHEREAS Birmingham Land Ltd., a Texas Limited Partnership is the Sole Owner of a 18.393 acre tract of land

situated in the D. William Survey, Abstract No. 1021, in the City of Wylie, Collin County, Texas and being a

portion of a tract of land, **described in deed to Birmingham Land Ltd., recorded in County Clerk's File No. (CC#)**

94-0029675, Deed Records, Collin County, Texas (D.R.C.C.T.), basis of bearing is the South line of a tract of land

described as Tract 2A, as described in Deed to Centex Homes, recorded in cc# 2001-0042153 D.R.C.C.T. said

18.393 acre tract of land, being more particularly described by metes and bounds as follows:

COMMENCING, at a wood monument found on the North right-of-way line of Brown Street (F.M. Hwy. No. 3412 –

a variable width right of way), being the Southwest corner of a tract of land, described in Deed to the Wylie

Independent School District, recorded in Volume 530, Page 445, D.R.C.C.T., and the common Southeast corner of

said Birmingham Land, Ltd., tract;

THENCE, North 87 degrees 22 minutes 14 seconds West, along the North right-of-way line, of said Brown Street,

a distance of 443.08 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Carter Burgess" set for the

point of beginning;

THENCE, North 87 degrees 22 minutes 14 seconds West, continuing along the North right-of-way line of said

Brown Street, a distance of 1266.92 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Carter Burgess"

set for corner;

THENCE over and across said Birmingham Land Ltd., tract, the following courses and distances:

North 02 degrees 37 minutes 45 seconds East, distance of 57.45 feet to a 5/8 inch iron rod with a yellow plastic

cap stamped "Carter Burgess" set for corner;

North 28 degrees 58 minutes 51 seconds West, a distance of 302.76 feet to a 5/8 inch iron rod with a yellow

plastic cap stamped "Carter Burgess" found for an ell corner of a tract of land, described as Tract 2A, in Deed to

Centex Homes, a Nevada General Partnership, recorded in cc# 2001-0042153, D.R.C.C.T.;

THENCE North 51 degrees 01 minute 09 seconds East, along a South line of said Centex Tract, a distance of

942.00 feet to a 5/8" inch iron rod with a yellow plastic cap stamped "Carter Burgess" set for corner;

THENCE over and across said Birmingham Land Ltd., tract the following courses and distances:

South 38 degrees 58 minutes 51 seconds East, a distance of 738.51 feet to a 5/8 inch iron rod with a yellow

plastic cap stamped "Carter Burgess" set for corner;

South 87 degrees 22 minutes 14 seconds East, a distance of 293.25 feet to a 5/8 inch iron rod with a yellow

plastic cap stamped "Carter Burgess" set in the West line of a tract of land, described as Tract 28, in Deed to

Centex Homes, a Nevada General Partnership, recorded in cc# 2001-0042153, D.R.C.C.T.;

THENCE, South 02 degrees 37 minutes 46 seconds West, along the West line of said Centex Tract 28, a distance

of 357.19 feet to the POINT OF BEGINNING, and CONTAINING 18.393 acres of land, more or less.

EXHIBIT "B"
CONDITIONS FOR PLANNED DEVELOPMENT
BIRMINGHAM BLUFFS
ZONING CASE No. 2017-09

I. GENERAL CONDITIONS:

1. This planned Development District shall not affect any regulations within the Code of Ordinances, except as specifically provided herein.
2. All regulations of the Single Family 10/24 set forth in Article 3, Section 3.2 of the Comprehensive Zoning Ordinance (adopted as of May 2011) are hereby replaced with the following:

Figure 3-4 - Planned Development – Single Family (PD – SF)	
Lot Size (<i>Minimum</i>)	
Lot Area (sq. ft.)	5,500
Lot Width at building line (feet)	50
Lot width of corner Lots at building line (feet)	55
Lot Depth at building line (feet)	100
Lot Depth of Double Front Lots at building line (feet)	110
Dwelling Regulations (Minimum Square Footage A/C space)	
Maximum of 25% of the lots	1,800
Minimum of 35% of the lots	2,000
Minimum of 40% of the lots	2,200
Design Standards Level of Achievement	See Section III Design Conditions
Yard Requirements – Main Structures	
Front Yard (feet)	20
Side Yard (feet)	5
Side Yard of Corner Lots (feet)	10
Side Yard of Corner Lots (feet) on key lots	10
Rear Yard (feet)	Minimum of 90% -15 Maximum of 10% - 10
Rear Yard Double Front Lots (feet)	20
Lot Coverage	65%

Height of Structures	
Main Structure (feet)	40
Accessory Structure (feet)	No Accessory Structures Allowed

II. SPECIAL CONDITIONS:

1. Maximum number of residential lots not to exceed 60 lots.
2. Key lots are defined as a corner lot which is backing up to an abutting side yard.
3. Three-tab roofing shall not be permitted.
4. No alleys shall be required within the Planned Development.
5. Lots which back onto HOA Open Space shall provide a decorative iron fence of uniform design to be installed by the homebuilder, as approved by the Planning Department.
6. Lots along the southern property line that back up to West Brown Street shall have a minimum building setback of 40 feet from the Right of Way.
7. Existing trees greater than 6 inch caliper within the flood plain shall be protected in accordance with City's Tree Preservation Plan.
8. Open space, drainage & floodway easement, and public hike & bike trail shall be dedicated to the City of Wylie in accordance with City's Subdivision Regulations and approval by the City Council.

IV. DESIGN CONDITIONS:

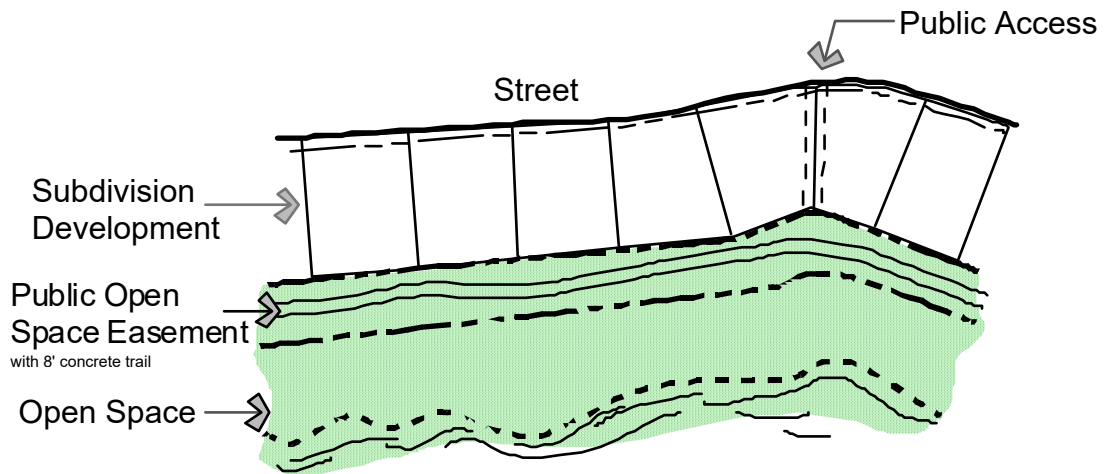
A. Land Design Standards – New Residential Requirements

Desired Land Design requirements are achieved by projects in accordance with Exhibit "P" and the following criteria:

1. Provision of Public Pathways - Public Open Space

a. Base Standard

- (1) Trail shall be constructed by the developer to the City's standards and completed as part of the subdivision being accepted by the City Engineer.
 - (a) 8' Hike & Bike Trail, achieving link in city trail system.
 - (b) Open Space Improvements, including 2 park benches, 1 picnic tables, 2 trash can.
- (2) The public pathway system easement(s) shall be connected along existing or planned utility rights-of-way and/or public property lines to any existing or planned public trail system on abutting land. Locate the public open space easement to provide for future connections to be made by others across intervening property to any existing or planned public trail system on land that does not abut the development.



b. Desirable Design Attributes

A partial single-loaded Street along open space and access.

2. Provision of Public Pathway – Perimeter Walkways and Landscape

a. Base Standard

(1) Per Exhibit “P” and coordinate improvements with the City of Wylie

The following trees and shrubs are recommended for landscaping and screening purposes and shall be of a species common or adaptable to this area of Texas:

1. Large Trees:

Pecan	Red Oak
Burr Oak	Water Oak
Southern Magnolias	Live Oak
Bald Cypress	
2. Small Trees:

Yaupon Hollies	Crape Myrtle
Wax Myrtle	Cherry Laurel
Red Bud	Japanese Black Pine
Cedar Elm	
3. Evergreen Shrubs:

Red Tip Photinia	Burford Holly
Nellie R. Stevens	Chinese Holly
Yaupon Holly	Clearra
Nandinnia	Dwarf Crape Myrtle
Japanese Ligustrum	Waxleaf Ligustrum

Abelia
Barberry
Honeysuckle
Boston Ivy
Monkey Grass
Vinca
Ophia Pogon
Purple Sage

Junipers
Asian Jasmine
English Ivy
Liriope
Virginia Creeper
Mondon Grass
Elaeagnus
Pistachio

The following trees are discouraged for landscaping and screening purposes:

Silver Maple
Green Ash
Mulberry
Mimosa
American Elm
Sycamore

Hackberry
Arizona Ash
Cottonwood
Syberian Elm
Willow
Bradford Pear

c. Desirable Design Attributes

None

2. Lighting and Furnishings Along Open Space, Easements and Trails

d. Base Standard

- (1) Benches with backs installed
- (2) Provide distinctive striping and buttons or similar cross-walks approved by city engineer at street connectors.
- (3) 8' wide distinctive striping and buttons or similar approved by city engineer at main entry; 6 ft wide at interior street connectors

e. Desirable Design Attributes

- (1) 2 Benches, 1 Picnic Tables, 1 Trash Can to be coordinated with Parks Department.
- (2) 8' wide distinctive striping and buttons or similar approved by city engineer crossing at main entry;

B. Street and Sidewalk Standards – New Residential Requirements

Desired street and sidewalk requirements are achieved in accordance with the following criteria:

1. Street Treatments – Entry Features and Signage at Entries

a. Base Standard

Architectural features on stone monument (no brick) with landscaping and incorporated into open space area and illuminated by means other than street lights.

b. Desirable Design Attributes

Decorative iron accent panels or 2 or more different type/color of stone (can be synthetic or cultured).



2. Street Treatments – Street Name Signs

a. Base Standard

Block numbers shall be incorporated with street lighting that is coordinated throughout the subdivision.

b. Desirable Design Attributes:

None

3. Street Treatments – Pedestrian Crosswalks

a. Base Standard

All crosswalks within a Residential development are to be 8 feet wide at trail crossings with distinctive striping and buttons or similar approved by city engineer and must connect to a pedestrian sidewalk system with pedestrian ramps complying with the American with Disabilities Act, to provide a clear, continuous pedestrian and circulation system throughout a subdivision.

b. Desirable Design Attributes:

Provide 8 ft. wide, connected system of distinctive striping and buttons or similar approved by city engineer at Trail Crossing at Main Entry.

4. Pedestrian Sidewalks - Sidewalk Locations

a. Base Standard

4 feet wide concrete pedestrian sidewalks shall be located on both sides of the street, in the right-of-way of every internal street.

b. Desirable Design Attributes:

None

5. Pedestrian Sidewalks - Sidewalk Lighting

a. Base Standard

Decorative street lighting shall be provided along residential streets throughout all Residential Developments, providing low illumination with decorative poles with spacing ranging from 250 feet to 350 feet between lights placed on alternating sides of the street. A Street Lighting Plan must be submitted to the City Engineer for approval. The City Engineer is authorized to alter the distance requirement if needed in an effort to achieve the best lighting arrangement possible.



b. Desirable Design Attributes:

None

6. Perimeter Alleys

a. Base Standard

No Alleyways are required for the subdivision.

b. Desirable Design Attributes:

None

C. Architectural Standards – New Residential Requirements

1. Building Bulk and Articulation

a. Base Standard

In order to avoid large blank facades, variations in the elevation of residential facades facing a public street shall be provided in both the vertical and horizontal dimensions. At least 20 percent of the façade shall be offset a minimum of 1 foot either protruding from or recessed back from the remainder of the façade.

b. Desirable Design Attributes:

None

2. House Numbers

a. Base Standard

All single family residential units shall have front stone wall plaque with resident address beside the main entry of the dwelling unit.

b. Desirable Design Attributes:

None

3. Exterior Façade Material

a. Base Standard

All single family residential units shall have a minimum of eighty (80) percent of the exterior facade composed of kiln-fired clay brick, rock, or masonry stucco with the balance being window boxes, gables, architectural shingle and etc., but not 20% siding, excluding windows, doors and other openings. Glazing shall not exceed twenty-five (25) percent of the front elevation of the residence. Dormers, second story walls or other elements supported by the roof structure may be composite masonry materials if approved by the Building Official as having the same durability as masonry or stone and when offset at least six (6) inches from the first floor exterior wall. Wood, vinyl siding and EIFS materials shall not be used for exterior walls.

b. Desirable Design Attributes:

None

4. Exterior Facades – Porch

a. Base Standard

Each single family residential unit shall have a combined total covered front, side or rear entry of a minimum of 120 total square feet of floor area.



b. Desirable Design Attributes:

Two or more sides of covered porches, or pitched cover incorporated into roof lines of house

5. Exterior Facades - Chimneys

a. Base Standard

Chimney flues for fireplace chimneys are to be within a chimney enclosed with masonry matching exterior walls of the residential unit and capped.

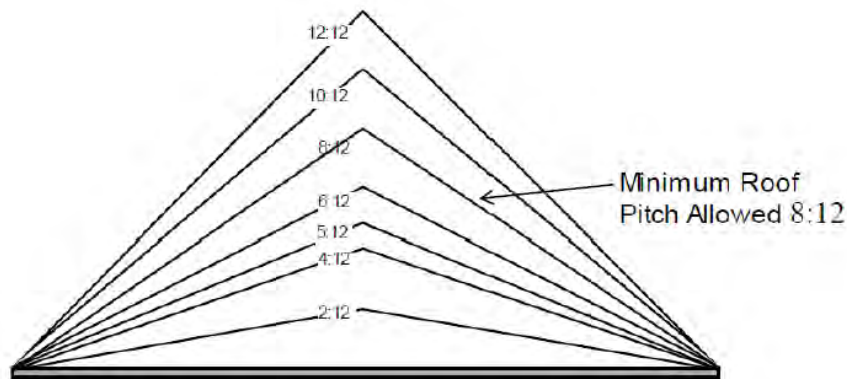
b. Desirable Design Attributes:

Fireplace chimneys shall incorporate 40 percent stone, matching the accent exterior façade materials of the house for houses with Chimneys.

6. Roofs and Roofing - Roof Pitch

a. Base Standard

All single family residential units shall have a minimum roof pitch of 8:12, with articulation, dormers or a combination of hip and gable roofing. A minimum roof pitch of 4:12 will be allowed over porches and patios.



b. Desirable Design Attributes:

None

7. Roofs and Roofing - Roofing Materials

a. Base Standard

All single family residential units shall have architectural-grade overlap shingles, tile or standing seam metal. Wood shingles are not permitted. Plumbing vents, attic vents, and other rooftop accessories are to be painted to match the roof shingle color.

b. Desirable Design Attributes:

None

8. Roofs and Roofing - Roof Eaves

a. Base Standard

No wood fascia or soffits are permitted.



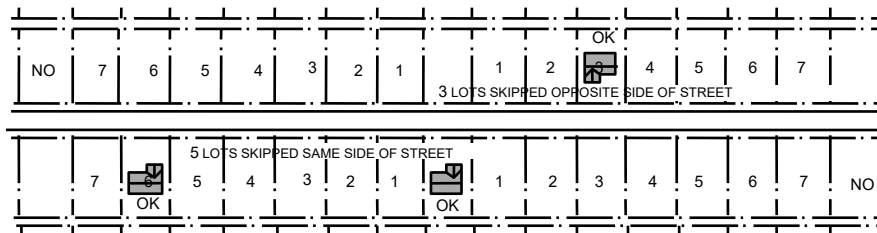
b. Desirable Design Attributes:

None

9. Repetition of Residential Unit Designs – Repetition of Floor Plan and Elevation

a. Base Standard

A minimum of five (5) platted residential lots must be skipped on the same side and three (3) lots must be skipped on the opposite side of a street before rebuilding the same single family residential unit with an identical (or nearly identical) street elevation design. The same floor plan shall not be repeated on neighboring, side by side lots or directly across the street.



Identical or nearly identical floor plan means that the layout, size and function of the rooms are essentially the same. Identical or nearly identical street elevation design means little or no variation in the articulation of the facade, height or width of facade, placement of the primary entrances, porches, number and placement of windows, and other major architectural feature. It does not mean similar colors, materials, or small details.

b. Desirable Design Attributes:

None

10. Garage Entry

a. Base Standard

Garage doors can be located on the primary street elevation of a single family residential unit with an upgraded door with carriage hardware. The primary street would be the addressed street front. Garages may face the street on a corner lot side yard. Each garage shall be a minimum of 400 square feet.



b. Desirable Design Attributes:

None

11. Dwelling Size

a. Base Standard

The minimum square feet of floor space shall be (a maximum of 25%) of the houses 1,800 s.f. , (a minimum of 35%) of the houses 2,000 s.f. , (a minimum of 40%) of the houses 2,200 s.f. measured within the outside dimensions of a residential dwelling unit including each floor level, but excluding carports, garages, and breezeways.

12. Fencing

a. Base Standard

- (1) Front yard fences (if provided) shall be permitted to a height of 4 feet maximum with minimum 50 percent transparency constructed of wood or wrought iron.
- (2) Side and rear yard fences (if provided) shall be permitted to a height of 8 feet maximum and constructed of wood with metal posts and rails to the inside.
- (3) Pressure treated wood is prohibited.
- (4) Fences shall be constructed of decorative iron next to public open space, and shall be minimum 4 ft in height.

b. Desirable Design Attributes

None

13. Landscaping

a. Base Standard

- (1) Each residential dwelling shall have sodded front, side, and rear yard with a minimum of 2 trees and 5 shrubs in front yard.
- (2) All landscaped areas must be kept in a healthy and growing condition. Any plant materials that die during a time of year where it is not feasible to replant shall be replaced as soon as possible.

b. Desirable Design Attributes

Each residential dwelling unit shall have an automated, subsurface irrigation system.

14. Outdoor Lighting

a. Base Standard

All residential dwelling units shall have an illuminated standard porch light at the front entry and drive/garage.

b. Desirable Design Attributes

Front façade and drive/garage shall be illuminated by coach lights on each side of the garage and front yard activity area illuminated and wired to the interior of the house.

15. Conservation/Sustainability

a. Base Standard

Each residential dwelling unit must comply with the Energy component of the Building Code.

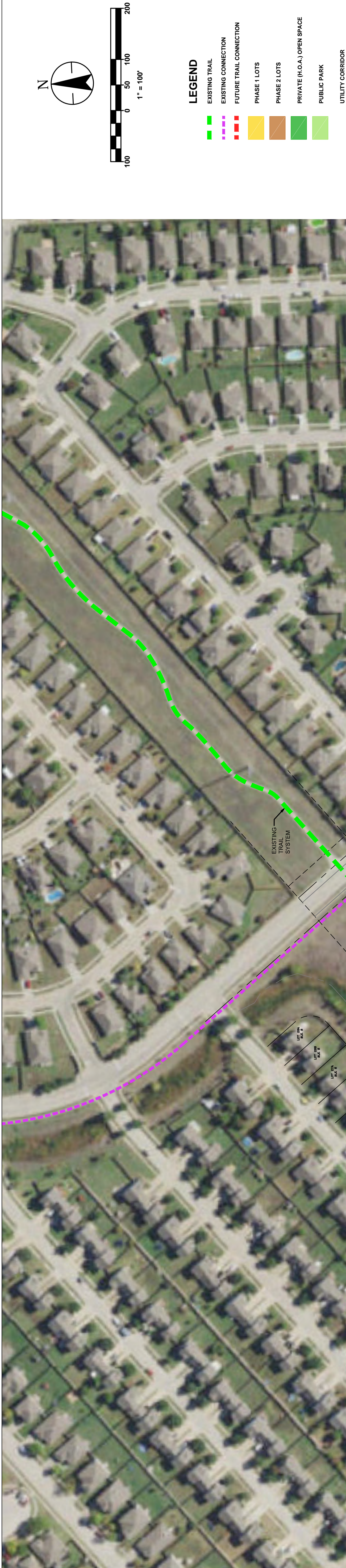
b. Desirable Design Attributes

None

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OWNER NOTIFICATION MAP

ZONING CASE #2017-09

NOTIFICATION REPORT

APPLICANT: Trey Walleite with Skorburg Company
8214 Westchester Dr. #710 Dallas, Tx 75225

APPLICATION FILE #2017-09

#	BLK/ABST	LOT/TRACT	TAX I.D. #	PROPERTY OWNER NAME	ADDRESS
1				Applicant - Trey Walleite Skorburg Company	8214 Westchester Drive #710 Dallas, Texas 75225
2	Blk A	B'ham Farms 10 Lot 1	R-10592-00A-0010-1	Wylie Apartments, LP	1605 LJ Fwy #710 Dallas, Texas 75234
3	---	Meadows of B'ham Park	R-5131-000-0000-1	City of Wylie	300 Country Club Road #100 Wylie, Texas 75098
4	Blk I	Meadows of B'ham Lot 25	R-5131-001-0250-1	Eric Ulfsparre	401 Oxford Drive Wylie, Texas 75098
5	Blk I	New Hope Church Lot 1	R-8719-001-0010-1	New Hope Christian Church	PO Box 118 Wylie, Texas 75098
6	---	B'ham Farms 2A Lot 1	R-5122-000-0001-1	City of Wylie	300 Country Club Road #100 Wylie, Texas 75098
7	---	B'ham Farms 2A Lot 2	R-5122-000-0002-1	City of Wylie	300 Country Club Road #100 Wylie, Texas 75098
8	---	B'ham Farms 2A Lot 29	R-5122-000-0290-1	Villas at Birmingham Farms HOA	PO Box 940934 Plano, Texas 75094
9	---	B'ham Farms 2A Lot 30	R-5122-0000300-1	Villas at Birmingham Farms HOA	PO Box 940934 Plano, Texas 75094
10	Blk 18	Westgate 1 Lot 1R	R-2151-018-001R-1	Charles Shoecraft	PO Box 2525 Wylie, Texas 75098
11	Blk 18	Westgate 1 Lot 2R	R-2151-018-002R-1	Dwight Cole	602 Gateway Bend Wylie, Texas 75098
12	Blk 18	Westgate 1 Lot 3R	R-2151-018-003R-1	Fidelmar Miralrio	600 Gateway Bend Wylie, Texas 75098
13	Blk C	Westgate 3 Lot 1	R-3952-00C-0010-1	Aretha Harris	700 Gateway Bend Wylie, Texas 75098
14	Blk C	Westgate 3 Lot 2	R-3952-00C-0020-1	John Pitts	702 Gateway Bend Wylie, Texas 75098
15	Blk C	Westgate 3 Lot 3	R-3952-00C-0030-1	Lam Tran	704 Gateway Bend Wylie, Texas 75098
16	Blk C	Westgate 3 Lot 4	R-3952-00C-0040-1	George Chappell	706 Gateway Bend Wylie, Texas 75098
17	Blk C	Westgate 3 Lot 5	R-3952-00C-0050-1	Christi Williams	708 Gateway Bend Wylie, Texas 75098
18	Blk C	Westgate 3 Lot 6	R-3952-00C-0060-1	Mark Maille	710 Gateway Bend Wylie, Texas 75098

19	Blk C	Westgate 3 Lot 7	R-3952-00C-0070-1	Craft Family Trust	1301 Rodeo Drive Murphy, Texas 75094
20	Blk R	B'ham Farms 2B Lot 18A	R-8111-00R-018A-1	Stephanie Cudjo	501 Pickens Lane Wylie, Texas 75098
21	Blk R	B'ham Farms 2B Lot 19B	R-8111-00R-019B-1	Celina Stacy	919 Chickesaw Lane Wylie, Texas 75098
22	Blk R	B'ham Farms 2B Lot 19A	R-8111-00R-019A-1	Carol Kennedy	917 Chickesaw Lane Wylie, Texas 75098
23	Blk R	B'ham Farms 2B 20B	R-8111-00R-020B-1	Pensco Trust Company	PO Box 173859 Denver, CO 80217
24	Blk R	B'ham Farms 2B 20A	R-8111-00R-020A-1	Angela Yubi	913 Chickesaw Lane Wylie, Texas 75098
25	Blk R	B'ham Farms 2B 21B	R-8111-00R-021B-1	Robert Gamez	911 Chickesaw Lane Wylie, Texas 75098
26	Blk R	B'ham Farms 2B 21A	R-8111-00R-021A-1	Kimberly Wilmes	909 Chickesaw Lane Wylie, Texas 75098
27	Blk R	B'ham Farms 2B 22B	R-8111-00R-022B-1	Rochelle Bostick	907 Chickesaw Lane Wylie, Texas 75098
28	Blk R	B'ham Farms 2B 22A	R-8111-00R-022A-1	Marya Greenhoe	905 Chickesaw Lane Wylie, Texas 75098
29	Blk R	B'ham Farms 2B 23B	R-8111-00R-023B-1	Marguerite Roberts	903 Chickesaw Lane Wylie, Texas 75098
30	Blk R	B'ham Farms 2B 23A	R-8111-00R-023A-1	Melanie Pfenninger	901 Chickesaw Lane Wylie, Texas 75098
31	Blk R	B'ham Farms 2B 24B	R-8111-00R-024B-1	Holly Alvarez	PO Box 875 Wylie, Texas 75098
32	Blk R	B'ham Farms 2B 24A	R-8111-00R-024A-1	Tracey Capone	817 Chickesaw Lane Wylie, Texas 75098
33	Blk R	B'ham Farms 2B 25B	R-8111-00R-025B-1	David Vandermeer	815 Chickesaw Lane Wylie, Texas 75098
34	Blk R	B'ham Farms 2B 25A	R-8111-00R-025A-1	JoAnn Rubio	813 Chickesaw Lane Wylie, Texas 75098
35	Blk R	B'ham Farms 2B 26B	R-8111-00R-026B-1	Lori Bise	811 Chickesaw Lane Wylie, Texas 75098
36	Blk R	B'ham Farms 2B 26A	R-8111-00R-026A-1	Edward Thomas	809 Chickesaw Lane Wylie, Texas 75098
37	Blk R	B'ham Farms 2B 27B	R-8111-00R-027B-1	Barbara Watts	807 Chickesaw Lane Wylie, Texas 75098
38	Blk R	B'ham Farms 2B 27A	R-8111-00R-027A-1	Sanjeev Sagar	3125 Tewksbury Way San Ramon, CA 94582
39	Blk R	B'ham Farms 2B 28B	R-8111-00R-028B-1	Bobby Williams	708 Stoneybrook Drive Wylie, Texas 75098



40	BIK R	B'ham Farms 2B 28A	R-8111-00R-028A-1	Alan Rubenstein	4501 Yacht Club Drive Rockwall, Texas 75032
41	Abst 266	Tract 18	R-6266-000-0180-1	Robert Heath	4506 E. Parker Road Parker, Texas 75002
42	Abst 266	Tract 48	R-6266-000-0480-1	Wylie Nursery Group, LP	7040 Teakwood Drive Dallas, Texas 75240
43	Abst 1021	Tract 2	R-7021-000-0020-1	Birmingham Land, Ltd.	613 NW Loop 410 #510 San Antonio, Texas 78216
44	Abst 1021	Tract 12	R-7021-000-0120-1	New Haven	PO Box 1927 Kyle, Texas 78640
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PUBLIC COMMENT FORM

(Please type or use black ink)

Department of Planning
300 Country Club Road
Building 100
Wylie, Texas 75098

☐ I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2017-09.



☒ I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2017-09.

Date, Location & Time of
Planning & Zoning
Commission meeting:

Tuesday, January 2, 2018, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting:

Tuesday, January 23, 2018, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Lori Bise

(please print)

Address:

811 Chickesaw Ln.

Wylie, TX 75098

Signature:

Lori S. Bise

Date:

12/13/17

COMMENTS:

PUBLIC COMMENT FORM

(Please type or use black ink)

Department of Planning
300 Country Club Road
Building 100
Wylie, Texas 75098

☐ I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2017-09.

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Commission meeting:

Tuesday, January 2, 2018, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting:

Tuesday, January 23, 2018, 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Barbara A. Watts

(please print)

Address:

807 Chickesaw Ln
Wylie TX 75098

Signature:

B. Watts

Date:

12/13/17

COMMENTS:

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Wylie Planning & Zoning

AGENDA REPORT

Meeting Date:	<u>January 2, 2018</u>	Public Hearing Item Number:	<u>1</u>
Department:	<u>Planning</u>		
Prepared By:	<u>Renae' Ollie</u>	Zoning Case Number	<u>2017-10</u>
Date Prepared:	<u>December 18, 2017</u>	Exhibits:	<u>Draft Ordinance, Draft Use Chart</u>

Subject

Hold a Public Hearing to consider, and act upon, a recommendation to the City Council regarding amendments to Article 5, Section 5.2.F.5 Body Art Studio of the Zoning Ordinance for an interpretation of the definition for Permanent Cosmetics.

Recommendation

Motion to approve a recommendation to the City Council regarding amendments to Article 5, Section 5.2.F.5 Body Art Studio of the Zoning Ordinance to include a definition for Permanent Cosmetics.

Discussion

The recommendation is to create a new use category for Cosmetic Tattoo by defining permanent cosmetics and excluding it from Body Art or Tattooing. This use would also include micro-blading as a form of semi-permanent make-up that provides a means to partially or fully camouflage missing eyebrow hair with the appearance of simulated hair using fine deposits of pigments.

Micro-blading is the process of using a series of small needles to place pigment into the skin, but not as deep as tattooing. Micro-blading is commonly applied to the eye brow area and typically lasts for several years. Under the current Zoning Ordinance, micro-blading and permanent make-up application is classified as a Body Art Studio

In August 2017 & April 2017 the Zoning Board of Adjustment approved variances to grant the permanent cosmetic use or Intradermal Cosmetics as defined by the State. The Board directed staff to proceed with an amendment to the ordinance to include a definition for Permanent Cosmetics.

The permanent cosmetic use conforms within the Body Art Studio use of the Zoning Ordinance and is currently allowed in the Light and Heavy Industrial Districts and is defined as an establishment whose services include tattooing and/or body piercing.

The Texas Department of State Health Services requires for the microblading service to be licensed as it is classified as tattooing due to microblading involving the insertion of pigments under the skin.

The State of Texas requires any business that is in the practice of producing an indelible mark or figure on the human body by scarring or inserting pigments under the skin using needles, scalpels, or other related equipment to [license with the Department of State Health Services](#). This includes studios that perform traditional tattooing, permanent cosmetics, and scarification.

RECOMMENDATION:**5. Body Art Studio**

a. Definition: A Body Art Studio, whether public or private, temporary or permanent, in nature or location, whose services include tattooing, body piercing and/or body art, whether or not for profit, are performed, including mobile body art establishments.

28. Permanent Cosmetic Establishment

a. Definition: Permanent Cosmetic Establishment means the practice commonly known as permanent makeup, in which micropigmentation or intradermal cosmetics are applied by trained personnel to permanently or semi-permanently simulate the appearance of common cosmetic applications such as eyeliner lip liner, lip color, eyebrow enhancement, and beauty marks, or to otherwise permanently or semi-permanently restore or improve the appearance of damaged or disfigured skin or other bodily features to natural coloration and condition.

Body Art Studio (tattoo parlor) remains an allowed use by right within the Light Industrial and Heavy Industrial zoning districts. Permanent Cosmetic Establishments would be allowed by right within the following districts: NS, CR, CC, DTH, SBO.

This item will be considered by Council at its January 23, 2018 meeting.

Approved By		
Department Director	Initial RO	Date 12-28-17

5. Body Art Studio

- a. **Definition:** ~~An establishment~~ A Body Art Studio, whether public or private, temporary or permanent, in nature or location, whose services include tattooing, ~~and/or~~ body piercing ~~and/or body art, whether or not for profit, are performed, including mobile body art establishments. Tattooing shall mean the placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. Body piercing shall mean the creation of an opening in an individual's body, other than ear piercing, to insert jewelry or another decoration.~~
- b. **Body Art** shall mean the placing or inserting of designs, letters, figures, symbols, or other indelible marks upon or under the skin of any person, using ink, scarring or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This includes the practice of physical body adornment by establishments and operators/technicians using, but not limited to, any of the following techniques: body piercing, tattooing, branding, scarification, and non-medical implants. This definition does not include practices that are considered medical procedures by a state medical board, such as implants under the skin, which shall not be performed in a body art establishment or cosmetic tattooing as defined in this Section. Nor does this definition include, piercing of the outer perimeter or lobe of the ear with pre-sterilized single-use stud and clasp ear piercing systems, the application of gemstones or other objects and adornments to the skin via the use of temporary adhesives, or the application of temporary tattoos or markings that do not involve the piercing of the skin and may be washed away with soap and water or otherwise naturally disappear within weeks or a few months after application (e.g., henna or body or face painting).
- ~~b.c.~~ **Additional Provisions:** Certifications of Occupancy for Body Art Studios must be held by a person licensed by the State of Texas, as set forth in Chapter 146 of the Texas Health and Safety Code, as such may be from time to time amended and such facilities must meet all environmental health requirements of the City of Wylie and the State of Texas. Body Art Studios must be set back 1,000 feet from any other Body Art Studio; Residential Zoning District; Church; Public, Private or Parochial School; and Day Care.

28. Permanent Cosmetic Establishment

a. Definition: Permanent Cosmetic Establishment means the practice commonly known as permanent makeup, in which micropigmentation or intradermal cosmetics are applied by trained personnel to permanently or semi-permanently simulate the appearance of common cosmetic applications such as eyeliner lip liner, lip color, eyebrow enhancement, and beauty marks, or to otherwise permanently or semi-permanently restore or improve the appearance of damaged or disfigured skin or other bodily features to natural coloration and condition.

b. Additional Provisions: Certifications of Occupancy for Permanent Cosmetic Establishments must be held by a person licensed by the State of Texas, as set forth in Chapter 146 of the Texas Health and Safety Code, as such may be from time to time amended and such facilities must meet all environmental health requirements of the City of Wylie and the State of Texas.

PERMITTED USES	Residential Districts							Non-Residential Districts						Parking	
	Low-Density Residential		Medium-Density Residential		High-Density Residential			Commercial			Industrial				Mixed Uses
F. RETAIL, PERSONAL SVC & COM., CONT.	AG/ 30	SF- 1A/ 30	SF- 20/ 26	SF- 10/ 24	TH	MF	MH	NS	CR	CC	BG	L I	H I	DTH	SBO
24. Beer & Wine Package Sales								P*	P*	P*		P*	P*	P*	1 per 250 sq ft (L)
25. Antique Shop (Inside Sales)								S	P*	P*				P*	1 per 250 sq ft (L)
26. Secondhand Goods								S		P*					1 per 250 sq ft (L)
27. Used Merchandise Resale/Consignment or Thrift Shop								S		P*				P*	1 per 250 sq ft (L)
28. Permanent Cosmetic Establishment								P*	P*	P*				P*	1 per 250 sq ft (L)

P=Permitted P*=Permitted with additional requirements when located in this district.

S=Special Use Permit T=Temporary Use Permit (L)=Loading spaces are required

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Wylie Planning & Zoning AGENDA REPORT

Meeting Date:	January 2, 2018	Public Hearing Item Number:	3
Department:	Planning		
Prepared By:	Renae' Ollie		
Date Prepared:	December 15, 2017	Zoning Case Number	2017-11
		Exhibits:	

Subject

Hold a Public Hearing and consider, and act upon a recommendation to the City Council regarding amendments to Article 3, Section 3.3.C Manufactured Home District of the Zoning Ordinance 2005-58 establishing development standards. **ZC 2017-11**

Recommendation

Motion to withdraw a recommendation to the City Council regarding amendments to Article 3, Section 3.3.C Manufactured Home District of the Zoning Ordinance 2005-58 establishing development standards.
ZC 2017-11

Discussion

After the December 5th work session and further research, Staff is requesting to withdraw from consideration an amendment to modify the lot size for Manufactured Home District. A majority of the discussion focused on lot sizes between 6,000 sf and 6,500 sf. With the current ordinance having a minimum lot size of 7,200 sf and only one tract of land currently zoned MH, it may not be in the best interest of the city to undertake an amendment at this time.

Any tracts of land desiring a new MH designation would have to go through a rezoning application regardless of the lot size being requested. With limited land available, the preferred process may be that of a Planned Development rather than straight zoning. The PD process would allow complete oversight from the Commission as well as the Council for land use compatibility and overall development and amenities.

Based on this, staff is requesting that the Commission accept the withdrawal of this item. Because the public hearing was properly noticed in the paper, the public hearing should be opened and allow any person the opportunity to speak for or against this item and then close the public hearing.

This item will be considered by Council at its **January 23, 2018** meeting.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Director	RO	12-18-17